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9 Attorneys for Defendants

10 JPMORGAN CHASE BANK, N.A. AN ACQUIRER OF
CERTAIN ASSETS AND LIABILITIES OF
11 WASHINGTON MUTUAL BANK FROM THE
FEDERAL DEPOSIT INSURANCE CORPORATION
ACTING AS RECEIVER, erroneously sued as
12 JPMorgan Chase, and CALIFORNIA
RECONVEYANCE COMPANY

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 JEFF GRAHAM and KIMBERLIE
GRAHAM, individuals,

16 Plaintiff

17 v.

18 JPMORGAN CHASE, CALIFORNIA
RECONVEYANCE COMPANY,
LAURA RYAN, and DOES 1 through
200, inclusive,

21 Defendants.

22 **CASE NO.: 3:09-cv-3959-SC**

23 **JOINT STIPULATION TO
REMAND ACTION TO CONTRA
COSTA COUNTY SUPERIOR
COURT**

24 Defendants JPMorgan Chase Bank, N.A., an acquirer of certain assets and
liabilities of Washington Mutual Bank from the Federal Deposit Insurance
Corporation acting as Receiver (“JPMorgan”), erroneously sued as JPMorgan Chase
and California Reconveyance Company (“CRC”), and plaintiffs Jeff Graham and
Kimberlie Graham (“Plaintiffs”), by and through their respective counsel, agree and
stipulate as follows:

1 Plaintiffs Jeff Graham and Kimberlie Graham, and Defendants JPMorgan
2 Chase Bank N.A. an acquirer of certain assets and liabilities of Washington Mutual
3 Bank from the FDIC acting as Receiver (“JPMorgan”) and California Reconveyance
4 Company (“CRC”) (collectively “Defendants”) respectfully submit the following
5 stipulation:

6 WHEREAS, Plaintiffs filed a Motion for Remand on September 25, 2009
7 which is presently calendared for hearing December 4, 2009;

8 WHEREAS, Plaintiffs prefer to litigate this action in Contra Costa County
9 Superior Court for the State of California;

10 WHEREAS, Defendants JPMorgan and California Reconveyance Company are
11 amenable to litigating in Contra Costa County Superior Court for the State of
12 California those claims which arise under state law, or federal claims that are solely
13 ancillary to claims arising under state law;

14 WHEREAS the parties have met and conferred regarding these issues and in the
15 interest of judicial economy,

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NOW, THEREFORE, for good cause Plaintiffs and Defendants JPMorgan and CRC stipulate and agree, and respectfully request through their attorneys, the following:

1. That this court remand the action to Contra Costa County Superior Court.

IT IS SO STIPULATED.

DATED: December 1, 2009

THE LAW OFFICES OF MICHAEL ROONEY

By: /s/ Michael Rooney
MICHAEL ROONEY
Attorneys for Plaintiffs
Jeff and Kimberlie Graham

DATED: December 1, 2009

ADORNO YOSS ALVARADO & SMITH
A Professional Corporation

By: /S/ Amy L. Morse
THEODORE E. BACON
PATRICK A. CATHCART
AMY L. MORSE
IMANI GANDY
Attorneys for Defendants
JPMorgan Chase Bank, N.A., an
acquirer of certain assets and liabilities
of Washington Mutual Bank from the
FDIC acting as receiver and California
Reconveyance Company

IT IS SO ORDERED.

DATED: 12/3/09

By: _____

